

Amendment No.118 to Town Planning Scheme No.4

Frequently Asked Questions

What is meant by a Scheme Amendment?

A Scheme Amendment is a change to the zoning and/or permissibility of uses within the City's Town Planning Scheme. When an application to rezone land or the City proposes a change to the Scheme, the process is known as a Scheme Amendment. A Scheme Amendment can be proposed by a landowner/s, the City of Armadale or the Western Australian State Government.

Scheme Amendments may be initiated for many different reasons, such as:

- a change in zoning to accommodate a type of development for which the site is deemed suitable;
- a change in the Residential Density Code on the Scheme Maps for a specific location or precinct;
- a change in the wording of Scheme Text (the written part of the local planning regulations); or
- to correct any inconsistency or errors in the Scheme Maps or Scheme Text.

What is being proposed in Amendment No.118, and what land is affected?

The amendment proposes to rezone the West Piara Urban Precinct South from the 'General Rural' and 'Rural Living' zones to

the 'Urban Development' zone. The Urban Development zone is used to identify land where a structure plan is required to coordinate further subdivision and development.

The West Piara Urban Precinct South is bounded by Warton Road, Mason Road, Lockeville Boulevard, Interdominion View and Armadale Road.

A location plan of the West Piara Urban Precinct South is available from the Public Notices/Open for Comment section on the City's website under the Amendment No.118 heading:

www.armadale.wa.gov.au

Why is Amendment No.118 being proposed?

The provisions of the *Planning and Development Act 2005* requires that the City's Town Planning Scheme No.4 be consistent with the State Government's Metropolitan Region Scheme, which is a planning scheme covering the entire Perth Metropolitan Area.

The Metropolitan Region Scheme was amended for the West Piara Urban Precinct South via MRS Amendment 1369/57, which was approved by the Minister for Planning and gazetted in November 2020. The Amendment transferred land in the West Piara Urban Precinct South from the Rural –

Groundwater Protection Zone to the Urban zone.

Amendment No.118 seeks to maintain consistency between the City's TPS No.4 and the approved MRS Amendment.

What specifically is included in Amendment No.118?

The following modifications to the TPS No.4 are proposed through Amendment No.118:

1. Rezone the West Piara Urban Precinct South to the TPS No.4 Urban Development zone;
2. Insert applicable provisions into TPS No.4 Schedule 8 Development (Structure Plan) Areas to address later structure planning, subdivision and development, including provisions relating to environmental protection;
3. Remove a 500m poultry farm buffer identified on Special Control Area Map 1, arising from a previous poultry farm in the City of Cockburn local government area now operating as a warehouse;
4. Remove the Priority 2 Groundwater Protection Area designation from the West Piara Urban Precinct South on Special Control Area Map 2 to recognise the Department of Water and Environmental Regulation's reclassification of the public drinking water source through MRS Amendment 1369/57 and 1370/57 processes; and

5. Remove the General Rural and Rural Living zones from the Warton Road and Mason Road reserves.

What is a Structure Plan and why is it needed?

The TPS No.4 Urban Development zone requires a Structure Plan/s to be prepared prior to further subdivision and development.

Structure Plans coordinate land use (e.g residential or commercial land uses), infrastructure and facilities such as utilities, roads, open space and sporting/community facilities in new urban areas.

They are comprised of a spatial map, a report comprising a Part 1 section (with subdivision/development standards) and a Part 2 section (Explanatory documentation), and Appendices (Reports on engineering, drainage, bushfire management, environmental management and other and technical inputs).

The Structure Plan process can take up to 2 years to complete, with final decision making authority resting with the State Government Western Australian Planning Commission.

Structure Plans provide a standard against which local governments and the Western Australian Planning Commission can assess future applications to subdivide and/or develop land.

Landowners within an Urban Development zone are able to engage a Planning Consultant to prepare and lodge a Structure Plan application for assessment

and consideration by Council. The City encourages landowners to work together and lodge joint Structure Plan applications over multiple lots.

How does the amendment respond to significant environmental values?

During the consideration of the previous MRS Amendment 1369/57, State Government Environmental Agencies and the City identified that further information was required to define the extent of significant environmental values in the West Piara Urban Precinct South. The City requested that these values be identified and protected at the MRS Amendment stage, however the Minister for Transport, Planning and Ports approved the transfer of the Precinct to the Urban zone.

In order to address the absence of information, Amendment No.118 requires the preparation of an Environmental Assessment Report to confirm/protect any significant wetland, vegetation, fauna and flora (as defined by State Government policy).

Amendment No.118 was referred to the Environmental Protection Authority (EPA) after initiation. After seeking advice and recommendations from the Department of Biodiversity, Conservation and Attractions (DBCA Wetlands Branch), the EPA issued its advice on environmental values and future protection in October 2021.

Copies of the EPA Advice, DBCA Wetlands Branch Recommendations, and the

applicant's Environmental Assessment Report are included on the City's website.

Will there be a Development Contribution Plan for the Precinct?

Development Contribution Plans set out equitable cost sharing mechanisms between developers in order to deliver common infrastructure items such as sporting/community facilities, major roads and other infrastructure.

The City recently advertised a Scheme Amendment (Amendment No.115) to extend the existing Development Contribution Plan No.3 over the West Piara Urban Precinct. Development Contribution Plan No. 3 applies to the City's growth suburbs of Harrisdale and Piara Waters establishes.

The statutory framework for the DCP is set out in TPS No.4. In accordance with TPS No.4, all landowners within the DCA No.3 area are required to contribute towards the cost of providing common infrastructure works. The City proposes to include significant wetlands in the West Piara Urban Precinct as a common infrastructure item for later acquisition.

The coordinated approach established by DCP No.3 has enabled the City to deliver essential infrastructure and facilities in an effective and timely manner since the DCP was first established in 2007.

Amendment No.115 will be presented to Council's Development Services Committee for consideration of Final

Adoption on 15 November 2021. The Committee's recommendation will be considered by Council at its 22 November 2021 meeting.

Further information on Amendment No.115 is available from the Community Consultation section on the City's website under the Amendment No.115 heading: <https://www.armadale.wa.gov.au/community-consultation>

Is there a Public Review Period when I can comment on the Amendment No.118 proposal?

At its meeting of 19 April 2021, Council resolved to initiate Amendment No.118 for the purpose of public review and to call for submissions from the public. The City received notice in October 2021 that the EPA will not conduct an environmental assessment of the Amendment and can therefore proceed to public advertising.

Prior to proceeding further with the scheme amendment process and making final recommendations to the Western Australian Planning Commission, Council will consider any submissions received on the proposal from the public and government agencies.

Who is being consulted on proposed Amendment No. 118?

All of the landowners that fall within the area identified in the proposed Scheme Map are being consulted. Additionally, various state government agencies are

also being consulted on the proposed amendment.

Amendment No.118 is being advertised through newspaper advertisements and all information is available on the City's website. Anyone interested in the proposal can provide feedback through making a submission by email or in hard-copy form.

How do I provide feedback?

If you wish to comment on Amendment No.118 and the City wrote to you directly, please complete the Submission Form provided. The Submission Form is also available from the Public Notices/Open for Comment section on the City's website under the Amendment No.118 heading: www.armadale.wa.gov.au

A hardcopy of the Submission Form can also be obtained from the City's Administration Building at 7 Orchard Avenue Armadale during business hours 8:15am to 4:45pm Monday to Friday, or you may request a copy to be mailed or emailed.

You must lodge your submission with the City by the closing date below. You can either post the Submission Form back to the City (Locked Bag 2, Armadale WA 6992), deliver it to the City's Administration Building (7 Orchard Avenue Armadale) or email it to: info@armadale.wa.gov.au

An information sheet with tips on how to write a submission can be found on the City's website via the link below.

<https://www.armadale.wa.gov.au/informati-on-sheets-forms-and-fees-building-planning>

When does the Amendment No.118 submission period close?

The advertising period for a Standard Scheme Amendment is required to be at least 42 days in accordance with the requirements of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

The advertising period for Amendment No.118 closes at 4.45pm on **22 December 2021**.

If you would like to be informed by email when the Amendment and submissions will be going back to a Council meeting for a final recommendation, or other progress of this Scheme Amendment, please ensure your email address is provided on your Submission Form.

Will the personal details on my submission be released to the public?

The City will not publish your name and address in the Council reports on the outcomes of the Public Review and Submissions Period. However, your full comments may be reproduced and published in planning reports. Note that a schedule of submissions, including the full details of submitters, are provided confidentially to Councillors however, this will not be made available to the public. The schedule and copy of all submissions are

also provided to the Western Australian Planning Commission.

Will I receive any further notifications on Amendment No.118 after I lodge my submission?

Scheme Amendments may take several months following Council's final adoption decision before the State Government's final decision is known, however, the City will advise all persons who make a submission of the final outcome.

If you lodge a submission on Amendment No.118 the City will write to or email you at the following stages:

1. When Council has made a decision to adopt the Amendment for final approval and forwarding its recommendation to the Western Australia Planning Commission; and
2. When the Hon. Minister for Planning has issued a final decision on the Scheme Amendment.

What happens next?

After the close of the Public Review and Submissions Period, the City will summarise all submissions received from the public and government agencies and prepare a planning report for Council's consideration at a future round of Council meetings. Council can determine to either adopt Amendment No.118 for final approval, with or without modifications, or resolve to not support the amendment.

Council's decision is then forwarded to the Western Australian Planning Commission,

which considers the proposal and submissions before making a final recommendation to the Minister for Transport, Planning and Ports. The Minister may grant final approval to the scheme amendment, with or without modifications, or may refuse to approve the scheme amendment. The final decision rests with the Hon. Minister for Planning.

An approved Scheme Amendment becomes part of the statutory Town Planning Scheme on the date it is published in the Government Gazette following the Minister's decision.

If Amendment No.118 proceeds to final approval by the Hon. Minister for Transport, Planning and Ports, TPS No.4 will be amended to reflect the zonings and scheme text modification proposed to support urban development of the West Piara Urban Precinct South. The City will publish the updated Town Planning Scheme (including Maps and Text) on its website following gazettal of the Amendment.

Who can I contact for more information on this proposal?

For further information on proposed Scheme Amendment No.118 please contact Alex VanderPlas, Senior Strategic Planning Officer, on 9394 5000 or email info@armadale.wa.gov.au